

MEETING MINUTES

November 16, 2006

GOVERNOR'S COMMITTEE FOR THE PURCHASE OF COMMODITIES AND SERVICES FROM THE HANDICAPPED

The meeting was called to order by Chairperson Penney Hall at 10:00 a.m. November 16, 2006 at the F. Ray Power Building, located at the West Virginia Division of Rehabilitation Services' office in Institute, West Virginia.

ATTENDANCE:

Committee: Penney Hall (Chairperson); Brenda Morford; Pete Cuffaro; Everette Sullivan; Jan Smith; Carol Jarrett, Recording Secretary.

WVARF Staff: Glenn McEndree; Chris Miller; Craig Greening and Ken Kennedy.

Jan Smith attended by conference call.

The first order of business is approval of the previous minutes.

MOTION #1

Mr. Cuffaro moved to approve the minutes from the previous meeting. Ms. Smith seconded. Motion passed.

Ms. Hall reported that Evan Williams, Executive Secretary retired at the end of October. Dave Tincher needs to appoint someone for that position.

Mr. Cuffaro asked the chair to send Mr. Williams a not thanking him for his service to the Committee.

REPORT OF THE COMMITTEE CHAIR:

Mr. Hall reported Ross Taylor had talked with the Auditor's office regarding WVARF getting a reduced rate for the p-card. The p-card processor recently changed from BB&T to City Group which does not have their system set up to allow for preferred rates at this time. The Auditor's office is aware that WVARF needs to be one of those that need to get a preferred rate, once they are established. Mr. Taylor will keep in contact with them to make sure that happens.

She also said she had talked with Mr. Taylor about the fact that DRS is \$30,000 behind in paying due to the situation with federal dollars. He has talked to Michelle James at DRS to discuss setting up a Memorandum of Understanding between the Department of Administration and DRS so that the department can go ahead and pay WVARF.

REPORT OF THE EXECUTIVE SECRETARY: (Amended Report)

\$ 3,728.81 – FY07 annual allocation
21.63 – Outstanding (Jan Smith Conference call)
184.69 – Outstanding (Pete Cuffaro)
137.38 – Expenses for September (Everette Sullivan & John Liller)
\$ 3,385.11 – Unencumbered balance

EXECUTIVE DIRECTOR'S REPORT:

Mr. McEndree reported he and Mr. Cuffaro met with the Secretary of State's office to discuss voter registration. The Secretary of State's office is interested in assisting WVARF with this effort.

He reported he had attended the Preston County Sheltered Workshop open house on October 23rd.

WVARF is still working with Terradon representatives regarding change orders for the software program. It still is not finalized

WVARF has been experiencing some computer network problems. Initially it was thought the system had been hacked but that turned out to be false. It appears the problems have been resolved.

The desk audits have been completed. This is the findings:

- Three CRPs do not have a current DOL Certificate on file; however, two of the three do not have current State Use contracts. SW Resources does not have a current DOL Certificate on file and participates in the State Use Program has indicated they do not believe they have anyone employed under a State Use contract being paid below minimum wage. We have asked for verification and they have indicated they will comply. Those two would be ineligible to participate in any future State Use Contracts. They are Hampshire County Special Services Center and Brooke County Opportunity Industries.
- One CRP did not have a current list of officers, certificate of current insurance and Secretary of State Letter indicating good standing as a charitable organization on file. This CRP does not currently have any State Use contracts.
- One CRP did not have a current letter from Secretary of State Office showing good standing as a charitable organization. They submitted a certificate of existence and I wrote back to them saying that is not what we need and the Secretary of State's office supplied that to them. I then called the Secretary of State's office to clarify that as that is not the same. The Secretary of State's office considers Grant money as charitable contribution.

Glenn, only two CRPs that did not meet the criteria or haven't yet anyway and that is SW Resources and Clay County Services Unlimited. I will send those letters and give them a deadline to get them submitted. I have been told that SW Resources will be submitting their certificate as soon as they received it.

Ms. Hall said she is hoping they are not paying commensurate wages to our people on State Use. Mr. Greening said the field reviews we have not found anyone paying less than \$5.50.

Mr. McEndree reported he had met with Lee Dixon, Director of the Buckhannon-Upshur Work Adjustment Center regarding a customer complaint from the DEP in Philippi. The contract is six months old and this is the second complaint from the customer. The first complaint was made in September regarding security in the building and expressing concern that the worker had not been trained. The security issue has been taken care of—a check-off sheet was developed for the employee.

The second complaint was made on October 8 again regarding the fact the building was not being cleaned properly. The client again expressed concern the janitor was not properly trained. Mr. Greening reported on the inspection he had conducted on November 8. He said the janitor doesn't know how to clean. Inspections come down to whether a building is or is not clean. This building is not clean.

Mr. Greening said the Statement of Work requires certain things to be done every six months and those tasks have not been done. The CRP did not engineer the building, did not create a schedule that allows those things to be done and things are not being done every six months. Mr. McEndree met with Mr. Dixon on November 7 to discuss the issues. The CRP also received a copy of the inspection report a few days later. It was reported by the customer that Mr. Dixon scheduled a meeting November 14 and he didn't show. It was reported to her that the worker went around asking if anyone had seen Mr. Dixon. As of the morning of the meeting nothing had been done to correct the problems.

Mr. Greening said it appears that the CRP came with this worker on the first day and that has been it. He has no supervision. The issue is that the worker is not being supported by the employer at least that is what the customer is indicating at this point.

Ms. Hall recommended Mr. Dixon be contacted giving him ten working days to get that building up to standard or the Committee is going to pull the contract. At the end of those 10 days, Mr. Greening will conduct another inspection. If it is not up to standard or meeting the requirements then the Committee will look at whom else in that area could do the work.

Ms. Smith asked if the worker even has the equipment he needs to do the periodic cleaning. Mr. Greening said he does not have some of the equipment. However, Buckhannon Upshur also has the federal building in Elkins and several other State Use contracts so the equipment could be taken over to Philippi to do the work.

Mr. Cuffaro asked about the amount of State Use work this CRP does. He said this situation raises a red flag in his mind. He said maybe a check of all the work this CRP does would be appropriate to ensure the other customers are getting service. Mr. Greening said Buckhannon does around \$100,500 in sales a year. Ms. Hall asked if he could go ahead and check on all the building in December since he was going to be there anyway. Mr. Greening indicated this would not be a problem. These other inspections will be surprise in nature; Mr. Dixon is not to know they are going to take place.

It was agreed that Ms. Hall would write a letter to Mr. Dixon informing him he had 10 working days, until December 5, to get the DEP Building up to standard or they would lose the contract. Mr. Greening will re-inspect the building on December 5. At the same time he is going to do inspections of the other janitorial jobs Buckhannon has. The letter will also include instruction to provide training to the janitor.

Once the inspections are done Mr. Greening will report his findings to Ms. Hall. If a conference call is needed she will arrange it.

The Committee directed that the inspections of the other buildings be surprise inspections so an unbiased view of the work being done can be obtained.

Mr. McEndree reported WVARF is still working diligently on the laundry contract. Hancock County Sheltered Workshop is working on their end to provide whatever information is requested. Ms. Hall said she had talked with Alberta Kincaid about where she was with getting the pricing information for Mr. Tinch. Ms. Kincaid said she had gotten some prices in from a couple of vendors. She was preparing that information to send to Mr. Tinch. Ms. Kincaid said some of the hospitals want to see samples of things that they are going to be able to get from Hancock County. Mr. Kennedy said he had spoken with Burl Anderson and there will be no problem with getting sample items.

CONTRACT PRESENTATIONS:

New Contracts:

Mr. Greening reported there was one new contract the ABCA Warehouse in Nitro. There was a one-time deep cleaning of four restrooms at the FMP of \$438.60. These restrooms are currently in very bad condition. The yearly contract will be 5 days a week at an annual FMP of \$3,239.76. Goodwill Industries of Kanawha Valley is the only CRP to express an interest in the contract.

MOTION #2

Mr. Sullivan moved to approve the new ABCA contract. Mr. Cuffaro seconded. Motion passed.

Mr. Kennedy said Clay County still has not reported any progress on the development of siltation fencing. The Committee directed Mr. McEndree to send a letter to them stating the project was now removed from the hold list.

CONTRACT COMPLAINTS:

Mr. Kennedy reported there was one complaint regarding bottled water. However, it turned out the customer had not placed an order for water.

FINANCIAL REPORT:

Mr. Miller reported on the accounts receivables status. WVARF has filed with the Court of Claims for a payment for WV State University. DOH, Gilmer County Office, is still behind on some payments but they have been in contact and are working to get the invoices processed.

Ms. Hall questioned the line item of ADMIN 872, Professional Fees. She asked if the lobbyist fee for the Association had been rolled into that line item. Mr. Miller said it had. She asked if attorney fees had also been rolled into this line item and the answer was yes. She expressed concern about this because the lobbyist fees is 100% Association related and the attorney fees is probably 95%.

Mr. McEndree disagreed with her on the attorney's fees he said there had been an alleged rape attempt at one of the rest areas about two years ago and WVARF incurred some legal expenses. He has discovered that the victim is filing a lawsuit which WVARF will probably be named in. He said there will be some more expenses when WVARF becomes a named party. One thing is he had to check with the attorney prior to providing information to the CRP named in the suit.

Ms. Morford agreed with Ms. Hall that WVARF has got to show a breakout somewhere that the lobbyist is being paid from the association fee. She said the Committee had discussed the fact the lobbyist fee has to be physically shown to be paid from the association fees. There is nothing to get you in trouble any faster than that would. If it is \$15,000 then you only have \$11,000 to use for other association activities.

Mr. McEndree said they did have it separated but the Auditor recommended it be rolled together. Ms. Morford said if that was the case than they need to explain to him the reason why it needs to be separated.

Mr. Miller distributed copies of the audit report. Ms. Hall asked members to look it over and to bring any questions they have to the December meeting.

CQI Implementation:

Mr. Greening reported inspections have been done for DEP in Philippi, DEP in Kanawha City, both rest areas in Hurricane, rest area in Huntington, field office for Parkways in Beckley, two Bridgeport rest areas, Southbound rest area at Burnsville.

Results were mixed. DEP in Philippi has already been discussed. The DEP in Kanawha City has raised a couple of issues including the number of hours of service they are getting. There were a couple of spots which were not particularly clean but by and large the building was clean. The Huntington rest area was fine. The rest areas in Hurricane, there were a couple of safety issues. One was the ramp of the building westbound some plywood which was broken. The other was Mr. Greening could not find an attendant at the eastbound one. He said he spent approximately 45 minutes waiting and finally found the attendant. The attendant had been on the westbound side helping out. This raises two concerns: 1) safety of crossing the interstate and 2) for at least 45 minutes the one side had been left unattended and that is not what the contract says has to be done. The rest areas are to be staffed 24/7. The Burnsville rest area was fine.

Mr. Greening said he and Mr. Kennedy have scheduled eight field visits through January.

Annual Report:

Ms. Hall is to write a letter to the President of the Senate, the Speaker of the House, the Governor and Cabinet Secretary Ferguson to send with a copy of the annual report.

Document Retention Policy:

The Committee has not met.

Quality Ratio Report:

Mr. Greening presented the State Use Activity Report, First Quarter Results. The only change in this report in terms of last year is sensory disabilities were added as a category under disability demographics. 595 people with disabilities were employed and 172 without disability, which is 82.1% for the program. Wages paid for the first quarter is \$1.1M to people with disabilities and \$247,000 without for a total of \$1.4M wages paid.

There were two organizations that have a concern about ratio and they are Pace Tec and Randolph County. Pace Tec has been asked for a plan of correction. Randolph County has had some problems whose direct

labor ratio fell to 67%. This is a direct result of losing one disabled worker who held a 40 hour a week job. This worker quit at the beginning of August and as of this date they have not been successful in finding a suitable replacement. Consequently, his responsibilities have been fulfilled by supervisory personnel. There was a letter from Bob McCoy, Executive Director of Seneca Designs. Ms. Hall will respond to his letter.

Clay County which has struggled to get to the 75% level of workers with disabilities now is at 83.89%. Ms. Hall is going to write a letter congratulating them on their success.

Ms. Hall discussed meetings for 2007. An e-mail will be sent to members with dates. If there are no conflicts than she will notify the Secretary of State's office.

The Committee decided to meet with the WVARF Executive Board in December. The Governor's Committee will meet from 9 to 11 a.m. The meeting with the board will be from 11 a.m. to 1 p.m. They will have lunch. It was suggested doing this at the Fifth Quarter. Ms. Hall and Mr. McEndree will work on the details.

MOTION #3

Mr. Sullivan moved to adjourn.